

## REMARKS

I like to thank the examiner to agreeing and providing time for such an extended and comprehensive phone interview regarding the office action.

### Claim Rejections 35 USC 103

Respectfully there is a lack of suggestion in the prior art of the desirability of combining references: Cordell, 6,274,520 and Yazawa, 4,052,243. Patent number 4,052,243 does not disclose the specific characteristic of waterproofing. 6,274,520 discloses the primary function of waterproofing with the use of multiple varied layers. It is essential to 6,274,520 that the layers be of varied construction and properties: compared to 4,052,243 wherein only one main type of construction is taught.

Secondly, examiner's conclusion of obviousness may be based on improper hindsight reasoning.

Thirdly, the prior art cited is nonanalogous whereas the Cordell is limited only to a waterproof fabric which prevents the penetration of liquid through the fabric. Unlike the current invention which allows liquid penetration and utilizes such penetration in its functionality of permitting a person to be cleaned without removing said invention.

There is a long felt but unsatisfied need for a breathable, yet waterproof material, which also allows for cleaning persons without removal of said invention; with such elements which have been long available.

Additionally, the cited of patent No. 6,274,520 should not be used in an obviousness rejection because it does not relate to the current invention nor in patent No.

4,052,243. None of the structural layers used is recited in the current invention.

The current invention utilizes some of the technology described in patent No. 4,052,243 for a novel new use and application.

There is a long felt need for the current invention which enhances the comfort of hospital patients or long term care patients. Utilizing the current well and warps technology to produce a new form of blanket enables patient comfort, and cleanliness.

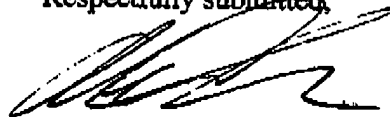
#### Conclusion

In view of the foregoing, it is urged that the claims now in the application are drawn to patentable subject matter and should be allowed.

The Examiner is requested to call the undersigned in the event that changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,




Allan Chan, Esq.  
225 Broadway Suite 700  
New York, NY 10007

### CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence is being deposited to the United States Patent and Trademark Office by fax to 703-872 9396 on the date indicated below.

Date.

8/15/08

  
Allan Chan, Esq.